

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID BRANDON,

Plaintiff,

v.

GEORGE W. HILL CORRECTIONAL
FACILITY,

Defendant.

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CIVIL ACTION NO. 19-104

ORDER

AND NOW, this 8th day of February, 2019, after considering the application for leave to proceed *in forma pauperis*, prisoner trust fund account statement, and complaint filed by the *pro se* plaintiff, David Brandon (“Brandon”) (Doc. Nos. 1, 4, 5); and for the reasons set forth in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The application for leave to proceed *in forma pauperis* (Doc. No. 4) is **GRANTED** and the plaintiff has leave to proceed *in forma pauperis*;

2. Brandon, #18008211, shall pay the full filing fee of \$350.00 in installments, pursuant to 28 U.S.C. § 1915(b). Based on the financial information Brandon has provided, the court will not assess an initial partial filing fee. In each month when the amount in Brandon’s prisoner trust fund account exceeds \$10.00, the warden or other appropriate official at the George W. Hill Correctional Facility or at any other prison at which Brandon may be incarcerated shall forward payments to the clerk of court equaling 20% of the preceding month’s income credited to Brandon’s prisoner trust fund account until the fees are paid. Each payment shall reference the docket number for this case, Civil Action No. 19-104;

3. The clerk of court is **DIRECTED** to send a copy of this order to the warden of the George W. Hill Correctional Facility;

4. The complaint (Doc. No. 1) is **DEEMED** filed;

5. The complaint (Doc. No. 1) is **DISMISSED WITH PREJUDICE** for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). Brandon may not file an amended complaint in this matter; and

6. The clerk of court shall **CLOSE** this case.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.